



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2014-113  
**Date:** December 4, 2014  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 33 South Street

**Applicant Name:** Sproot/Katherine Saamraj  
**Applicant Address:** 250 Main Street #425352 Cambridge, MA 02142  
**Owner Name:** BBD Trust  
**Owner Address:** c/o Golden Cannoli Shells Co Inc, 99 Crescent Ave, Chelsea, MA 02150  
**Alderman:** Maryann Heuston

Legal Notice: Applicant, Sproot/Katherine Saamraj, and Owner, BBD Trust, seek a Special Permit under SZO 7.11.10.4 to establish a catering operation and a Special Permit under 9.5 & 9.13 for parking relief for approximately 2 spaces. BA zone. Ward 2.

Dates of Public Hearing: Zoning Board of Appeals – December 10, 2014

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a warehouse type building on a 8,712 square foot lot. The property was formerly the Golden Cannoli Shell Factory. The property is roughly 13,000 square feet.
2. Proposal: The proposal is to establish a catering operation called Sproot in 8,000 square feet of space. Sproot prepares and packages nutritious lunches for private schools including preschools. There is also 2 spaces of parking relief needed. The remaining space is still up for lease.
3. Green Building Practices: None listed on the application.
4. Comments:



*Fire Prevention:* Fire prevention has been contacted and has no comments at this time.

*Traffic & Parking:* Traffic and Parking has been contacted and has no comments at this time.

*Ward Alderman:* Alderman Heuston has been contacted and has no comments at this time.

## **II. FINDINGS FOR SPECIAL PERMIT (SZO §7.11.10.4 & 9.13):**

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

### 1. Information Supplied:

The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

### 2. Compliance with Standards: *The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."*

Per SZO §7.11.10.4 establishing a catering preparing meals for consumption offsite from 5,000 to 9,999 square feet requires a Special Permit with Design Review in BA districts.

Per SZO §9.4 when there is a change of use with no change in floor area the following calculation is used to determine the parking requirement, (Old use – new use) / 2. There are an existing 8 spaces. The old use, the Cannoli Shell factory, was a wholesale bakery which is 1 space per 650 sf plus 1 per business vehicle which is 14.3 spaces. The new use, catering, is 1 per 450 square foot or 18 spaces. The difference between the old and new use is 4 spaces which divided by 2 equals relief needed for 2 parking spaces.

In considering a special permit under §7.11.10.4 of the SZO, Staff find that the use proposed would not be substantially more detrimental to the neighborhood than the existing use.

All developments within the BA District that require a special permit with design review or special permit with site plan review should comply with the following guidelines to the highest degree practicable.

1. Give preference to locating on-site, off-street parking at the rear of the lot, behind the building or below street level, providing vehicular access from either a side street or alley where possible.
2. Give preference to providing landscaping along the primary street edge.

Being an existing building, it is difficult to accommodate the BA district guidelines. The parking is accommodated at the rear of the building but there is no landscaping area possible along the lot line.

In considering a special permit under §9.13 of the SZO the Applicant must be able to demonstrate that granting the requested special permit would not cause detriment to the surrounding neighborhood through any of the criteria as set forth under SZO §9.13, which are as follows:

- 1) increase in traffic volumes;
- 2) increased traffic congestion or queuing of vehicles;
- 3) change in the type(s) of traffic;
- 4) change in traffic patterns and access to the site;
- 5) reduction in on-street parking;

6) unsafe conflict of motor vehicle and pedestrian traffic.

Sproot currently has 7 employees but will hopefully grow in their new space. One employee currently has a vehicle. They will hire locally and have set a policy as they grow that not more than 30% of the employees will drive to the site. This will leave adequate parking for employees, visitors, and business vehicles. Two spaces of parking relief will not cause an increase in traffic volumes or change in traffic patterns around the site or any of the other criteria listed above.

3. Consistency with Purposes: *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; and to encourage the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the district, which is, "To establish and preserve business areas bordering main thoroughfares that are attractive to a wide range of uses, including retail business and services, housing, government, professional and medical offices, and places of amusement. While it is anticipated that most users will arrive by motor vehicle, it is intended that the area should be safe for and conducive to pedestrian traffic."

4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

The surrounding neighborhood is a mix of residential and commercial uses. Warehouse buildings, apartment buildings, and multifamily homes take advantage of the close proximity to Cambridge and Union Square as well as the walkable distance to convenient services.

There are little to no impacts of the proposal. There are no alterations being made to the outside of the building. A condition is proposed as part of this report that the owner will paint over the graffiti on the building.

5. Vehicular and pedestrian circulation: *The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.*

There are no impacts to vehicular and pedestrian circulation associated with granting parking relief for the use.

6. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

There are no impacts on current affordable housing.

7. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of*

*safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

This proposal does not significantly impact the SomerVision target numbers but does keep a commercial use in a commercial building. It also contributes to local tax base and provides employment for area residents.

**III. RECOMMENDATION**

**Special Permit under §7.11.10.4 & 9.13:**

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the establishment of a catering business and 2 spaces of parking relief. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Plng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>November 6, 2014</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>November 20, 2014</td> <td>Modified plans submitted to OSPCD (Existing and Proposed Floor Plan)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	November 6, 2014	Initial application submitted to the City Clerk’s Office	November 20, 2014	Modified plans submitted to OSPCD (Existing and Proposed Floor Plan)
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November 6, 2014	Initial application submitted to the City Clerk’s Office									
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Any changes to the approved plan /use that are not <i>de minimis</i> must receive SPGA approval.										
<b>Construction Impacts</b>										
2	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW							

3	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
<b>Design</b>				
4	The owner will paint over the graffiti on the building	CO	Plng.	
<b>Miscellaneous</b>				
5	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
<b>Public Safety</b>				
6	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
<b>Signage</b>				
7	Signage will be submitted to planning staff for review and approval.	BP	Plng.	
<b>Final Sign-Off</b>				
8	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	

